



UNITED STATES PATENT AND TRADEMARK OFFICE

09/01/521
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 03/02/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims).
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: Deleted is not proper status identifier

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officelflyer.pdf>.

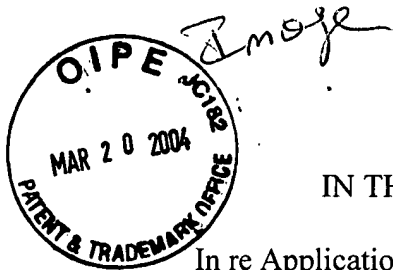
If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH time limit is not extendable**.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Bullman
Legal Instruments Examiner (LIE)

371-272-1046
Telephone No.




GAU 1711

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Frank Dean)
Serial No.: 09/611,521)
Filed: July 8, 2000)
For: Chelation Compositions)

Examiner: Duc Truong
Art Unit: 1711

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

<p align="center">Certificate of Express Mailing Post Office to Addressee</p> <p align="center">Express Mail Label No. ER 738917652 US</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service, U.S. Express Mail postage prepaid for Express Mail Post Office to Addressee service, addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on March 20, 2004.</p> <p align="center"> Karen B. Tripp</p>
--

REVISED AMENDMENT TO THE CLAIMS IN RESPONSE TO
NOTICE OF NON-COMPLIANT AMENDMENT

Dear Sir:

This is in response to the Notice of Non-Compliant Amendment mailed March 15, 2004. The Notice advises that the amendment document filed March 2, 2004 in response to the Notice of Non-Compliant Amendment mailed February 12, 2003 was unsatisfactory because the two claims marked as "deleted" were not marked with the "proper status identifier" so that the "individual status of each claim" could be identified. These claims have now been marked as "canceled" instead of "deleted" and are believed to now reflect the "proper status identifier." In the event that the amendment is still viewed as non-compliant as to form, the Examiner is earnestly requested to call the undersigned regarding same.

The amendment document originally filed on September 27, 2003 and provided again without change on November 7, 2003 upon the request of the Examiner had earlier been considered to be non-compliant because a complete listing of all of the claims was not present and because the claims of the amendment paper were said to not be presented in ascending numerical order. The section of the amendment concerning the claims was

revised to correct these matters of non-compliance. The section of the amendment concerning the specification was not objected to and thus was not resubmitted.

Please enter this attached further revised amendment to the entire "Amendments to the claims" section of Applicant's amendment previously filed, as fully responsive to the Notice of Non Compliant Amendment. The Commissioner is authorized to charge any additional fees for this to my deposit account, 50-0807.

This response is submitted within the one month period for response provided and no extension or fee is believed due. However, in the event that a fee is due for any reason, the Commissioner is authorized to charge same to undersigned's Deposit Account No. 50-0807.

In the previously submitted amendment, please correct the Amendment to the Claims section to read as follows: